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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
) No. 3:24-cv-00150-HRH
vs.)
) **VERIFIED COMPLAINT FOR**
WELLS FARGO CASHIER'S CHECK) **FORFEITURE IN REM**
IN THE AMOUNT OF \$25,000.00,)
PAYABLE TO KIMBERLY)
MACKEY, DATED MAY 18, 2019,)
WITH SERIAL NUMBER ENDING)
IN 4570,)
)
Defendant.)

Plaintiff, United States of America, by and through counsel, alleges the following:

1. This is a civil action *in rem* brought to enforce the provisions of 18 U.S.C. § 981(a)(1)(C) and 21 U.S.C. § 881(a)(6) for civil forfeiture of a Wells Fargo cashier's check in the amount of \$25,000.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this case pursuant to 28 U.S.C. §§ 1345 and 1355.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1395 because Defendant *in rem* was seized within the District of Alaska.

RELEVANT FACTS

4. In or around 2019, law enforcement officers were investigating Kimberly Mackey for drug trafficking from her residence in Anchorage, Alaska.

5. During the investigation, a confidential source working with law enforcement conducted several controlled purchases of heroin from Mackey's residence.

6. On June 20, 2019, officers executed a search warrant at Mackey's residence. In the residence, officers found and seized, among other things, approximately \$25,080 in U.S. currency in a case in the closet of the master bedroom, several cellphones, digital scales, approximately \$19,800 in U.S. currency in a box in the closet of the master bedroom, approximately \$1,000 in U.S. currency in clothes in the closet of the master bedroom, approximately \$10,285 in U.S. currency in a safe in the master bedroom, a Hi Point .40 caliber handgun in a cosmetic case on the floor of the master bedroom, a postal box in the master bedroom, 3 packages of suspected heroin found in a safe in the master bedroom, 3 packages of suspected methamphetamine found in the master bedroom, and smaller quantities of suspected heroin and methamphetamine.

7. The seized packages of suspected heroin and methamphetamine contained amounts typically possessed for distribution.

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8. The contents seized packages were later tested and the results were positive of the presence of heroin and methamphetamine.

9. It is common for persons involved in drug trafficking to keep large amounts of cash and firearms for protection of their drugs and drug proceeds.

10. In the master bedroom officers also found and seized a Wells Fargo cashier's check in the amount of \$25,000 payable to Mackey, dated May 18, 2019, with a serial number ending in 4570 (the "Defendant Property").

11. Officers interviewed Mackey following the search. After being advised of and waiving her *Miranda* rights, Mackey told officers that there were large amounts of methamphetamine and heroin in her residence, that she received controlled substances in the mail from her source, and that she mailed her source drug proceeds.

12. At a subsequent interview conducted in the presence of her attorney, Mackey stated that the entirety of the cashier's check officers seized from her residence (the Defendant Property) was proceeds from the sale of controlled substances.

13. Defendant Property is presently in the possession, custody, or control of the United States and is not presently subject to any judicial restraining order.

14. Defendant Property is likely proceeds traceable to the sale and exchange of a controlled substance and is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) and 21 U.S.C. § 881(a)(6).

CLAIM FOR RELIEF

WHEREFORE, Plaintiff United States of America prays that:

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- A. A Warrant *In Rem* issue for the arrest of Defendant Property, including an order that Wells Fargo re-issue the cashier's check payable to the United States Marshals Service and/or the Department of Justice;
- B. That due notice be given to all parties to appear and show cause why the forfeiture should not be decreed;
- C. That judgment be entered declaring Defendant Property forfeited to the United States of America for disposition according to law, and
- D. For such relief as this Court may deem just and proper, together with the costs and disbursements of this action.

RESPECTFULLY SUBMITTED this 10th day of July 2024, in Anchorage, Alaska.

S. LANE TUCKER
United States Attorney

s/ Seth M. Beausang
SETH M. BEAUSANG
Assistant U.S. Attorney
United States of America

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Certificate of Service

I hereby certify that on July 10, 2024
a true and correct copy of the foregoing
was served via certified mail on the following:

Kimberly Renee Mackey
Register Number: 39136-509
Regional Reentry Management Seattle
2425 South 200th Street
Seattle, WA 98198

Kimberly Renee Mackey
c/o
Michael A. Moberly
Hozubin, Moberly, & Associates
711 M Street, Suite 2
Anchorage, AK 99501

s/ Seth Beausang
Assistant United States Attorney

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